

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Johan R. de Faire :
: Confirmation No.: 9183
Application No.: 09/549,642 :
: Filed: April 14, 2000 :
: For: REMOVING DENTAL PLAQUE WITH :
: KRILL ENZYMES :

**RENEWED PETITION PURSUANT TO 37 C.F.R. §1.182 FOR ENTRY OF AN
AMENDMENT IN AN ABANDONED APPLICATION IN ORDER TO
PERFECT CLAIMS TO BENEFIT UNDER 35 U.S.C. §§120 and 365(c)**

Mail Stop Petition
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §1.182, and in response to dismissal of applicant's previous petition by a Decision on Petition dated April 26, 2007, applicant hereby renews its petition for entry of the enclosed amendment in the above-identified abandoned patent application for the purpose of correcting claims for the benefit of earlier-filed applications under 35 U.S.C. §§120 and 365(c). In the Decision on Petition dated April 26, 2007, it was indicated that, "Before the petition... can be granted, a renewed petition under 37 C.F.R. §1.182 and a proper amendment, which states the relationship of the prior-filed applications to this application, are required."

Applicant hereby submits a renewed petition and a proper amendment stating the relationship of the prior filed applications to this application. Favorable consideration, grant of the petition and entry of the enclosed amendment is requested.

Adjustment date: 11/06/2007 CKHLOK
01/16/2007 INTEFSW 00000119 500462 09549642
01 FC:1464 130.00 CR

Adjustment date: 11/06/2007 CKHLOK
05/14/2007 INTEFSW 00000645 500462 09549642
01 FC:1464 130.00 CR

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400.00 DA
01 FC:1462
05/14/2007 CKHLOK

The Director has been authorized concurrently herewith to charge the fee of \$130.00 for this petition to Deposit Account No. 50-0462. No other fees are believed to be due in connection with this petition. However, if any additional fee is due, the Director is authorized to charge Deposit Account No. 50-0462.

A. Facts and Evidence in Support of the Petition

1. Amendment of Abandoned Applications is Permitted

Amendment of abandoned patent applications is permitted to insert a specific reference to an earlier-filed, co-pending application for the purpose of correcting the claim for the benefit of one or more earlier-filed applications under 35 U.S.C. §120. See *Sampson v. Commissioner of Patents and Trademarks*, 195 U.S.P.Q. 136 (D.C.D.C. 1976). In that case, the applicant was permitted to insert a specific reference to an earlier-filed, co-pending application in several abandoned applications in order to correct the claim for benefit of one or more earlier-filed applications under 35 U.S.C. §120. This was done for the purpose of perfecting a claim for benefit of one or more earlier-filed applications under 35 U.S.C. §120 in an issued patent, which relied on those abandoned applications to establish the chain of co-pendency required for a valid claim for benefit under 35 U.S.C. §120.

2. Entry of the Amendment is Required to Perfect the Claims for Benefit

In the present case, the applicant inadvertently failed to include in the first sentence of the specification, a specific reference to two (2) earlier-filed, co-pending applications as was required by 37 C.F.R. §1.78 (a) in effect at the time of this application, in order to perfect a claim for benefit under 35 U.S.C. §120 and 35 U.S.C. §365(c). The two, earlier-filed, co-pending applications for which benefit is claimed are U.S. patent application no. 08/338,501, filed on November 22, 1994, now abandoned, and International application no. PCT/SE93/00455, filed on May 21, 1993, designating the United States.

The specific reference to the earlier-filed applications was inadvertently not included in the first sentence of the above-identified application.

In order to perfect the claims for benefit under 35 U.S.C. §§120 and 365(c) in the

on November 22, 1994, was co-pending with the great-great grandparent application no 08/385,540, filed on February 8, 1995, for the present application, for which benefit has also been claimed via the co-pending parent, grandparent and great-grandparent applications, and , the present application has the same inventor as the three earlier-filed applications, and International application no. PCT/SE93/00455, filed on May 21, 1993, designating the United States was copending with U.S. patent application no. 08/338,501, filed on November 22, 1994; and the present application contains disclosure in common with the earlier-filed applications. Accordingly, entry of the attached Amendment adding specific references to the earlier-filed applications is requested in order to receive the benefit of the earlier filing dates.

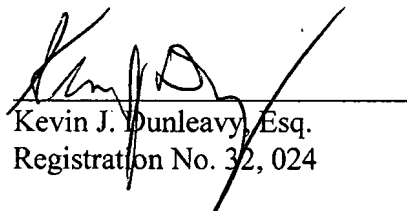
C. Relief Sought

Favorable consideration, granting of this petition and entry of the enclosed Amendment in the above-identified abandoned U.S. patent application is requested.

Respectfully submitted,

Date: May 11, 2007

By:


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